

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35438 of 2021

Arising Out of PS. Case No.-89 Year-2019 Thana- DHURAIYA District- Banka

NIRAJ KUMAR @ NEERAJ RAM @ NIRAJ RAM Son of Late Radhe Ram
Resident of Village- Akbarpur, P.S.- Kahalgaown, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Dhoraiya P.S. Case No. 89/2019 registered for the offences punishable under Section 411, 413, 414, 420, 467, 468 & 471 of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate, Banka.

The allegation against the petitioner is that he purchased a stolen motorcycle 2½ years ago.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case on the confessional statement of one Chandan Kumar merely on suspicion. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation against the petitioner. He further submitted that in the case diary the witnesses have supported the case.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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